

SECTION 1: INFORMATION FOR BIDDERS

1.1 INVITATION FOR BID

CALL FOR BIDS

Sealed bids, entitled “Bid for CFR Reach A, Phase 2 Remedial Action Project, DEQ Contract No. 415018,” will be received by the Montana Department of Environmental Quality (DEQ) until 2:00 P.M. local time, **April 24, 2015** and then publicly opened and read thereafter. Each Bid shall be submitted in a sealed opaque envelope bearing on the outside the name and address of Bidder. Bids may be mailed or hand delivered to:

Mail Delivery:

Bid Box
Remediation Division
Attention: Katie Garcin
P.O. Box 6969
Helena, Montana 59604-6969

Hand Delivery:

Department of Environmental Quality
Remediation Division
Attention: Katie Garcin
1225 Cedar St.
Helena, Montana 59620-0901

Note: Please note the location for hand delivery as it has changed from previous Remediation Division Contracts.

If forwarded by mail, the Bid and sealed envelope marked as described above shall be enclosed in another envelope with the notation "SEALED BID ENCLOSED" on the face of the outer envelope and addressed as indicated above.

PROJECT LOCATION

The Project is referred to as CFR Reach A, Phase 2 Remedial Action Project, a part of the Clark Fork River Operable Unit (“CFROU” or “Clark Fork Site”) which is part of the Milltown Reservoir/Clark Fork River Superfund Site. The Project is located in Deer Lodge County, near Galen, Montana. The Project Area covers 1.9 river miles on State land and two private ranches known as the Logan Ranch LLC and Lampert Ranch LP. The Site is located in Section 7, Township 5 North, Range 9 West, P.M.M, and is shown on the Drawings, Sheet C1. Access to the Site is via Perkins Lane or the Job Corps road from the Interstate 90 frontage road between Warm Springs and Galen, Montana.

To reach the northern entrance to the Site from Interstate 90, take exit 197, Galen, head south on the frontage road for two miles, and turn east on Perkins Lane to the Clark Fork River. To reach the southern entrance to the Site from Interstate 90, take exit 199, Warm Springs, head east about 0.1 mile on Morel Road to an intersection with the Job Corps road, follow this single lane dirt road north about 0.8 miles, turn right and continue on a single lane dirt road about 0.7 miles to the Site. These two locations will be the main access points to the Site.

PROJECT WORK DESCRIPTION

The CFROU is part of the Milltown Reservoir/Clark Fork River Superfund Site. Heavy metals originating from historical mining, milling, and smelting activities associated with the Anaconda Company operations in Butte and Anaconda have accumulated on the Clark Fork River streambanks and floodplain over a period of at least 100 years. The primary sources of contamination are tailings and contaminated sediments mixed with soils in the streambanks and floodplains (“tailings / impacted soils”), which erode during high flow events and enter the river and other surface waters. In addition to erosion,

heavy metals are leached from the tailings / impacted soils directly into the groundwater and eventually to surface water. These contaminant transport pathways result in impacts to terrestrial and aquatic life along the Clark Fork River.

The Clark Fork Site is located within four counties: Deer Lodge, Powell, Granite, and Missoula. The upstream boundary of the Clark Fork Site is located at the confluence of the old Silver Bow Creek channel with the reconstructed lower Mill-Willow bypass just downstream of the Warm Springs Ponds. The downstream boundary is the maximum high pool reservoir level (elevation 3265.5 feet, NAVD 88) of the former Milltown Reservoir (eliminated by the removal of the Milltown Dam), just east of Missoula, Montana.

The Project area consists of the river, its floodplain, and associated access and staging areas. The Site is on two active ranches with hay fields, grazing fields, fencing, irrigation structures, and irrigation ditches and state owned property. The floodplain contains slickens (barren areas of tailings) and thick layers of tailings / impacted soils that only support plant growth to varying degrees. Contractor shall excavate contaminated tailings / impacted soils from streambanks and floodplain; transport these materials to and place them in the B2.12 Cell at Opportunity Ponds (owned by ARCO Environmental Remediation, LL.C. "AERL" and its affiliate the Atlantic Richfield Company "AR," these entities will be referred to as "AR" herein); backfill excavations in the floodplain with clean fill and reconstruct portions of the streambanks using bioengineering techniques. Owner is responsible for implementing the Remedy for the Clark Fork Site. An effort has been made to make the specifications equally applicable to all Bid Items unless otherwise specified in the Contract Documents. Owner is obliged to maximize its use of resources available to combine Remedy and Restoration and to maximize the environmental benefit to the Clark Fork Site.

SCHEDULE COORDINATION AND SEQUENCING OF WORK

Contractor shall perform the Work in close coordination with the Montana Department of Environmental Quality's (DEQ's) Revegetation Consultant and DEQ's Revegetation Contractor, each performing under a separate contract with DEQ for related to the CFR Reach A, Phase 2 Revegetation Project. Good communication is essential between Contractor, DEQ, Revegetation Consultant, Revegetation Contractor, Engineer, Surveyor, Montana Department of Justice, Natural Resource Damage Program (NRDP), NorthWestern Energy, CenturyLink, Burlington Northern and Santa Fe Railroad (BNSF), and others working on the CFR Reach A, Phase 2 Remedial Action Project. Contractor shall share facilities (roads, parking areas, staging areas, etc.) and work in close coordination with both revegetation contractors. All contractors will use best efforts to ensure that the timing of activities performed for the CFR Reach A, Phase 2 Remedial Action Project and other activities at the Site will accommodate the work to be performed under each contract.

Remedial construction along the Clark Fork River shall proceed in stages. To minimize potential damage from flooding, the Work shall proceed in a sequence that ensures the excavated floodplain is backfilled and revegetated in a timely manner. Remedial Work Zones as shown on the Drawings, Sheets C8 and C9, Excavation Plan, shall be constructed in a manner that ensures that no more than ten (10) acres are being excavated and backfilled at any one time. Contractor shall not undertake excavation in addition unless approved by Engineer.

The Work involves excavating and hauling both tailings / impacted soils and clean borrow material, inside and outside of areas contaminated with tailings / impacted soils, and working in close proximity to an area of the Clark Fork River designated as critical habitat for bull trout. Contractor shall, to the maximum extent practicable, prevent contamination from reaching the Clark Fork River and shall use care to minimize contamination of borrow areas and clean areas outside the Removal Limits. Contractor

shall not track tailings / impacted soils outside the Construction Work Zone when leaving the Site or by any other means. Contractor shall clean and decontaminate all previously cleaned areas, areas outside the Removal Limits, and areas outside the Construction Work Limits when contaminated with tailings / impacted soils by Contractor, to the satisfaction of Engineer, at no cost to Owner.

Contractor shall timely notify Revegetation Consultant of work schedule and sequence, so Revegetation Consultant, Contractors, and employees can mobilize to the Site and revegetation activities can follow as closely as possible completion of remedial construction work by Contractor in each discrete area of the Project Site. Revegetation shall be performed by Revegetation Contractor with oversight by Revegetation Consultant. Contractor is expected to provide Site access to the Revegetation Contractors, sequencing the Work and preparing areas for planting at the earliest possible time, and generally enabling revegetation activities to occur as soon as practicable after Contractor has completed excavation, backfill, and streambank reconstruction in any particular area.

Construction Work Limits are shown on the Drawings, Sheets C2 and C3, Work This Contract. Contractor shall not disturb any areas outside the Disturbance Limits. Any disturbance outside of these limits shall be reclaimed to pre-disturbed conditions and landowner shall be compensated for damages occurring as a result of the disturbance.

SPECIAL CONTRACTOR QUALIFICATIONS

Contractor shall have at least five years of experience working on river restoration projects and shall have completed at least five projects of similar size using similar design concepts, structures, and materials.

Due to the type and number of streambank restoration structures to be constructed, Contractor must demonstrate that at least one equipment operator tasked to construct these structures has completed two river restoration training classes, such as Wildland Hydrology, Inc., or equivalent. Contractor shall submit with its bid the curriculum, agenda, dates, location, and sponsors/ instructors of such training for each operator. Contractor may designate another operator without such training or experience to construct test structures, if the qualified operator is on Site at all times during the Work and is readily available and authorized to supervise this work.

Contractor shall have at least one excavator and at least one bulldozer configured to operate with digital terrain models for design grading surfaces provided by Engineer. **The GPS equipment shall be on Site during streambank construction and during earthwork activities** or Contractor may propose alternative means and methods that will achieve the same level of precision, accuracy, and efficiency as an excavator and a bulldozer configured to operate with GPS machine-control capability. Alternative means and methods that require additional grade staking and survey layout by Engineer or Surveyor, and result in additional cost to Owner, will not be accepted.

The Project will include all incidental work necessary to complete the Work as specified in the Contract Documents.

CONTRACT DOCUMENTS

The Contract Documents may be obtained from the Montana Department of Environmental Quality (DEQ), Remediation Division, in Helena, Montana after **Monday, March 23, 2015** for a nonrefundable deposit of \$100.00 in advance, in cash or check payable to "Montana Department of Environmental Quality." **Mail requests should be labeled "Bid Package Purchase, DEQ Contract No. 415018" and addressed to Bid Box, Remediation Division, Attn: Katie Garcin, P.O. Box 6969, Helena, MT 59604-6969.** Contract Documents may also be obtained in person from the DEQ Remediation Division

Office, located at, 1225 Cedar St., Helena, MT 59620-0901. For further directions, please call (406) 444-6429.

The Contract Documents, including any Addenda, will be available for viewing at the Builder's Exchange locations identified in the Instructions to Bidders.

QUESTIONS

For general questions, contact Katie Garcin at (406) 444-6429. All questions about the meaning or intent of the Contract Documents are to be submitted in writing to and must be received by DEQ, Remediation Division, in Helena, Montana, no later than 5:00 P.M. local time **April 17, 2015**. **Questions submitted by mail should be labeled: "Bid Questions, DEQ Contract No. 415018" and addressed to Bid Box, Remediation Division, Attention: Katie Garcin, P.O. Box 6969, Helena, MT 59604-6969.** Questions may also be e-mailed to KGarcin@mt.gov. Responses to questions will be posted at <http://svc.mt.gov/gsd/onestop/SolicitationDefault.aspx> no later than 5:00 P.M. local time **April 21, 2015**. Choose "Environmental Quality" as the solicitation agency.

CONTRACT TIME

The Contract Time will be four hundred (400) consecutive calendar days. Contractor will pay Owner liquidated damages in the amount of Two Thousand (\$2,000) dollars per day for each day beyond the Contract Time (as adjusted in accordance with the terms of the Contract Documents) that the Work is not substantially complete.

PRE-BID CONFERENCE

There will be a mandatory Pre-Bid Conference beginning at 10:00 A.M. local time Tuesday, April 14, 2015, at the Race Track Valley Fire Hall/Race Track Community Center located in Race Track, Montana. To reach the Race Track Valley Fire Hall/Race Track Community Center from Interstate 90, take exit 195, Racetrack Rd, head west to the Frontage Road intersection, turn right (north), proceed less than one mile. The Race Track Valley Fire Hall/Race Track Community Center will be on the right, just north of the Gemback Bar. All persons attending the Pre-Bid Conference must complete a pre-entry briefing to be provided at the Race Track Valley Fire Hall/Race Track Community Center. All persons attending the Pre-Bid Conference must wear hard hats, steel-toe boots, safety glasses with side shields, high-visibility clothing, long-sleeve shirts, and leather gloves in order to visit the Opportunity Ponds Waste Management Area portion of the Project Site.

Immediately following the Pre-Bid Conference, the Pre-Bid Conference will continue with a visit to the CFR Reach A, Phase 2 Remedial Action Project Site and then to the BP/AR Waste Management Area at Opportunity and the Beck Borrow Area, a source for Vegetative Backfill located south of Deer Lodge, Montana.

Both the pre-bid conference and the walk-through are mandatory: bidding contractors are required to attend. Failure to attend the pre-bid conference and walk through is a basis for Owner to reject the bid under Article 2 of Section 1.2 Instructions to Bidders.

BID SUBMITTAL

Bids shall be submitted in accordance with Section 1.2 Instructions to Bidders and with the laws of the State of Montana.

The Contract Documents identify onsite sources for Vegetative Borrow materials, General Backfill materials, and Floodplain Alluvium materials. Another source the Beck Borrow Area, is the primary source for Vegetative Backfill.

All workers employed in performance of the Work shall be paid prevailing wages at rates required by Federal regulations and the laws of the State of Montana.

Bidders must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

Owner reserves the right, in its sole discretion, to cancel the contract solicitation for this project, to reject any and all Bids, to postpone or refuse to award the Contract, to consider the Bid of another Bidder, to waive any and all informalities, and to take any other action it deems in the best interests of the State of Montana.

The Montana Department of Environmental Quality is an equal opportunity employer.

DEPARTMENT OF ENVIRONMENTAL QUALITY

By: Tom Livers
Director